

ORDINANCE # 2017-318

**AN ORDINANCE TO AMEND TOWN OF WALDEN ZONING ORDINANCE TO
AMEND ARTICLE 4, ZONE REGULATIONS, C-1 GENERAL COMMERCIAL
ZONE, 4.04 GENERAL COMMERCIAL ZONE (C-1) (C) SPECIAL USES
PERMITTED AND (D) AREA REGULATIONS, (4) BUILDING SIZE, AND
ARTICLE 8, SPECIAL PERMITS SO AS TO CREATE A SPECIAL PERMIT FOR
BUILDING FOOTPRINTS GREATER THAN 5,000 SQUARE FEET IN THE C-1
GENERAL COMMERCIAL ZONE**

WHEREAS, the C-1 General Commercial Zone has a maximum footprint of 5,000 square feet for buildings and structures; and,

WHEREAS, in the C-1 General Commercial Zone multiple buildings and structures with a footprint of 5,000 square feet may be constructed on one lot; however, one building or structure may not exceed the maximum 5,000 square foot footprint restriction; and,

WHEREAS, creating the Special Permit process would allow the Town of Walden Board of Mayor and Aldermen flexibility to conditionally approve deviations in the maximum footprint standard within the C-1 General Commercial Zone as necessary to achieve the intent, goals, and general standards of the Zoning Ordinance; and,

WHEREAS, Town of Walden Board of Mayor and Aldermen requested the Chattanooga-Hamilton County Regional Planning Agency (RPA) make recommendations regarding possible options for changes to the Town of Walden zoning ordinance regarding building size in the C-1 General Commercial Zone; and

WHEREAS, RPA drafted regulations to create a Special Permit for buildings and structures with a footprint larger than 5,000 square feet in the C-1 General Commercial Zone; and,

WHEREAS, the Chattanooga-Hamilton County Regional Planning Commission on June 12, 2017 recommended to the Town of Walden Board of Mayor and Aldermen that the Town of Walden Zoning Ordinance be amended as follows:

AMEND Article 4, Zone Regulations, C-1 General Commercial Zone 4.04 General Commercial Zone (C-1) (c) Special Uses Permitted by adding the following:

(10) Buildings or Structures with a footprint greater than 5,000 square feet

AMEND Article 4, Zone Regulations, C-1 General Commercial Zone 4.04 General Commercial Zone (C-1) (d) Area Regulations (4) Building Size by deleting in its entirety and replace with the following:

Building Size. No building or structure constructed within the C-1 General Commercial Zone shall have a footprint of greater than 5,000 square feet. For buildings or structure footprints with a proposed footprint greater than 5,000 square feet see Special Uses Permitted.

AMEND Article 8, Special Permits, and 8.01 Applications for a Special Permit by adding the following:

- (n) Buildings or Structures with a footprint greater than 5,000 square feet in the C-1 General Commercial Zone


The Board of Mayor and Aldermen may grant a Special Permit provided that the applicant furnishes satisfactory proof of convenience, necessity, and absence of harmful effect on surrounding property. It is a requirement that the applicant for a Special Permit furnish a site plan with the application that depicts the proposed use of the property to include, but not limited to, site access, building configuration, maximum footprint size, building setback, proposed landscaping, drainage, and parking plan, as well as other pertinent information as determined by the Board of Mayor and Aldermen.


The Board of Mayor and Aldermen may grant a Special Permit from the maximum footprint size based on one or more of the following criteria:

- (a) The applicant presents an alternative that complies with the stated intent, goals, and general standards of the zone as defined in the Zoning Ordinance.
- (b) The proposed maximum footprint is consistent with adopted plans and principles for the area.
- (c) The proposed maximum footprint is compatible with the character of the area where it is proposed, and with the size and location of the buildings in the vicinity.
- (d) Physical conditions of the property, such as steep slopes, drainage or sewer easements, or small or irregular lot shape make compliance of the maximum footprint requirement impossible.

The Board of Mayor and Aldermen may condition approval of the Special Permit as allowed in this section on one or more requirements reasonably necessary to achieve the intent, goals, and general standards of the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED, that this ordinance shall take effect upon its publication, the public welfare requiring it.


William Trohanis, Mayor


Fern Lockhart, Recorder

First reading 6/13/2017

YEA 3

NAY 0

Second reading 7/11/17

YEA

NAY

May 23, 2017

Chattanooga Publishing Company
400 East Eleventh Street
Chattanooga, Tennessee 37402

Attention: Legal Advertising

Please publish the attached notice at your earliest convenience, in the "CHATTANOOGA TIMES
CHATTANOOGA FREE PRESS".

TOWN OF WALDEN, TENNESSEE

PUBLIC HEARING

THE TOWN OF WALDEN BOARD OF MAYOR AND ALDERMEN WILL MEET IN OPEN SESSION AT 6:30 P.M. ON JUNE 13, 2017 TO CONSIDER ORDINANCE # 2017-318, TO AMEND ARTICLE 4, ZONE REGULATIONS, C-1 GENERAL COMMERCIAL ZONE, 4.04 GENERAL COMMERCIAL ZONE (C-1) (C) SPECIAL USES PERMITTED AND (D) AREA REGULATIONS, (4) BUILDING SIZE, AND ARTICLE 8, SPECIAL PERMITS SO AS TO CREATE A SPECIAL PERMIT FOR BUILDING FOOTPRINTS GREATER THAN 5,000 SQUARE FEET IN THE C-1 GENERAL COMMERCIAL ZONE.

MAYOR WILLIAM TROHANIS

If any further information is required regarding this matter, please contact me at 886-4362.

Sincerely,

Fern Lockhart, Recorder

September 19, 2018

Chattanooga Publishing Company
400 East Eleventh Street
Chattanooga, Tennessee 37402

Attention: Legal Advertising

Please publish the attached notice at your earliest convenience, in the "CHATTANOOGA TIMES
CHATTANOOGA FREE PRESS".

TOWN OF WALDEN, TENNESSEE

PUBLIC NOTICE

THE TOWN OF WALDEN'S BOARD OF MAYOR AND ALDERMEN PASSED ON FINAL READING ORDINANCE NO. 2017-318, AN ORDINANCE TO AMEND TOWN OF WALDEN ZONING ORDINANCE TO AMEND ARTICLE 4, ZONE REGULATIONS, C-1 GENERAL COMMERCIAL ZONE, 4.04 GENERAL COMMERCIAL ZONE (C-1) SPECIAL USES PERMITTED AND (D) AREA REGULATIONS, (4) BUILDING SIZE, AND ARTICLE 8, SPECIAL PERMITS SO AS TO CREATE A SPECIAL PERMIT FOR BUILDING FOOTPRINTS GREATER THAN 5,000 SQUARE FEET IN THE C-1 GENERAL COMMERCIAL ZONE.

MAYOR WILLIAM TROHANIS

If any further information is required regarding this matter, please contact me at 886-4362.

Sincerely,

Fern Lockhart, Recorder



Account #: 108391
Company: TOWN OF WALDEN TN / Legal
Client:
Ad number: 117759
PO#: 2017-318
Note:

AFFIDAVIT • STATE OF TENNESSEE • HAMILTON COUNTY

Before me personally appeared Jim Stevens, who being duly sworn that he is the Legal Sales Representative of the CHATTANOOGA TIMES FREE PRESS, and that the Legal Ad of which the attached is a true copy, has been published in the above named newspaper and on the corresponding newspaper website on the following dates, to-wit:

Chattanooga Times Free Press: 09/21/18; TimesFreePress.com: 09/21/18.

And that there is due or has been paid the CHATTANOOGA TIMES FREE PRESS for publication the sum of \$71.10. (Includes \$10.00 Affidavit Charge).



Sworn to and subscribed before me this date: 09/21/2018



My Commission Expires 03/07/2021



Chattanooga
Times Free Press

400 EAST 11TH ST
CHATTANOOGA, TN 37403

PUBLIC NOTICE
TOWN OF WALDEN, TENNESSEE

The Town of Walden's board of mayor and aldermen passed on final reading Ordinance No. 2017-318, an ordinance to amend Town of Walden zoning ordinance to amend article 4, zone regulations, C-1 general commercial zone, M-1 general commercial zone (C-1) special uses permitted and (d) area regulations, (4) building size, and article 8, special permits so as to create a special permit for building footprints greater than 5,000 square feet in the C-1 general commercial zone.

Mayor William Trohanis